

**From:** JOHN D GILBERT  
**To:** Department of Justice  
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**Subject:** Microsoft Settlement

In addition to my comments sent a few minutes ago, the points from this AP news article clearly show how Microsoft continues to manipulate the system.

I continue to ask for a penalty that would promote more competition!!!!!!!

Under the proposal made public last week, Microsoft and some plaintiffs agreed the company would provide more than \$1 billion worth of Microsoft software, refurbished personal computers and other resources to some of the nation's poorest schools.

Microsoft said the deal allows schools to choose to spend money on training and resources for non-Microsoft products. But the company concedes that those who go with Microsoft products will be given more resources, such as free software.

“The actual settlement is made up of a basket of resources,” said Mark East, worldwide general manager of Microsoft's education solutions group. “The software component is just one of the elements.”

It's still drawn the ire of Glenn Kleiman, a lecturer with the Harvard Graduate School of Education Technology and a longtime researcher in the field.

“To put it bluntly, Microsoft is trying to pull a fast one here,” said Kleiman, who is a consultant for some of the plaintiffs who oppose the settlement. “They are saying that they are providing \$1 billion plus of resources, but it's being done in a way that's self-serving to Microsoft.”